

For the reasons discussed below, Applicant respectfully requests reconsideration and withdrawal of the prior art rejections raised in the Official Action dated March 2, 2010.

At page 2, paragraph 4 of the Official Action, independent claims 1 and 9 have been rejected under 35 U.S.C. Section 103 (a) as being obvious over a combination of the previously applied Dessaux et al. patent (US Patent No. 5,071,184) and the previously applied Hansson et al. patent (US Patent No. 4,989,652).

At page 8, paragraph 32 of the Official Action, the Examiner discusses the arguments advanced by Applicant in the Amendment filed on October 26, 2009. More specifically, the Examiner states, in pertinent part, that "... the Dessaux patent teaches a means for limiting the extent of rotation of the rotor relative to the stator based upon said determined relative position for limiting twisting of attached hoses and/or cables and to enhance automatisisation (Column 3, Lines 25-31)."

However, Column 3, Lines 25-31 of the Dessaux et al. Specification states:

"According to an additional characteristic, the device according to the invention is equipped with a relative position sensor such as an absolute or incremental coder, which controls the angular position of the grappling element turning with respect to the pulley block body, and a gyrometer that controls the absolute position of the turning grappling element..."

Contrary to the portion of the Dessaux et al. Specification relied upon in the Official Action, independent claim 1 expressly recites "...means (70-71) for determining the relative position of rotation between the rotor (30) and the stator (20) and limiting the extent of rotation of the rotor relative to the stator based upon said determined relative position for limiting twisting of attached hoses and/or cables..." (emphasis added).

Similarly, independent claim 9 expressly recites the recitation "...limiting the angle through which the rotator (10) rotates in either direction from a starting position based upon the determined relative position of the rotator and the stator for limiting the extent to which pressure medium connection hoses present are able to twist and/or to limit the extent to which connection cables (7)... are able to twist...".

The portion of the Dessaux et al. Specification relied upon in support of the rejection of independent claims 1 and 9, although disclosing position sensors, fails to teach or suggest means for limiting the extent of rotation of the rotor relative to the stator based upon said determined relative position for limiting twisting of attached hoses and/or cables (Claim 1), or limiting the angle through which the rotator rotates... for limiting the extent to which pressure medium connection hoses present are able to twist and/or to limit the extent to which connection cables... are able to twist (Claim 9). In fact, Dessaux et al. Specification refers to twisting of lifting cables only with reference to the prior art (Column 1, Lines 41-47 of the Dessaux et al. Specification), and this prior art reference only provides protection against

shearing and deterioration of the feed and remote control cables in the event that the lifting cables become twisted (Column 1, Lines 46-47 of the Dessaux Specification). Therefore, no positive means are provided to prevent twisting of cables, and protection against shearing and deterioration of the feed and remote control cables is provided only after they have already become twisted (Column 1, Lines 44-47 of the Dessaux et al. Specification).

Applicant respectfully submits that Dessaux et al. patent fails to recognize the problem to which Applicant's invention, as defined by independent claims 1 and 9, is directed, and fails to teach or suggest the specific device and method defined by independent claims 1 and 9, respectively, when all positively recited features of these claims are considered in the patentability determination. Since the Dessaux et al. patent fails to teach or suggest the inventions defined by independent claims 1 and 9 when considered in their entireties, a combination of the Dessaux et al. patent with the Hansson et al. patent likewise cannot teach or suggest the inventions defined by independent claims 1 and 9.

Applicant respectfully submits that independent claims 1 and 9 are in condition for allowance over the prior art references applied in the Official Action. The remaining dependent claims, which depend from one of the two independent claims, are allowable, at least for the same reasons as their respective parent independent claims.

Enclosed is a petition to extend the time for responding to the Official Action for two months, and the applicable fee for the requested extension of time.

For the reasons discussed herein, Applicant respectfully submits that this patent application is in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. P. Stone', written in a cursive style.

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